

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

<b>RAYMOND DAKIM HARRIS JOINER,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>1:13CV448</b>
	)	
<b>JONATHAN FRIEL, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**ORDER**

On July 12, 2013, the Magistrate Judge issued an Order and Recommendation ordering that Plaintiff's Application to Proceed In Forma Pauperis [Doc. # 1] be granted for the sole purpose of entering the Order and Recommendation, ordering that Plaintiff's trust officer be directed to pay to the Clerk of this Court 20% of all deposits to his account starting with the month of August, and thereafter each time that the amount in the account exceeds \$10.00 until the \$400.00 filing fee has been paid, and recommending that this action be dismissed pursuant to 28 U.S.C. § 1915A for being frivolous or malicious or for failing to state a claim upon which relief may be granted, as well as for seeking monetary relief against a defendant who is immune from such relief. [Doc. # 4]. The Magistrate Judge's Order and Recommendation was served on Plaintiff on that

same date. Plaintiff filed Objections to the Magistrate Judge's Recommendation within the time limits prescribed by 28 U.S.C. § 636. [Doc. # 6].

The Court has appropriately reviewed the portions of the Magistrate Judge's Recommendation to which objection is made and has made a *de novo* determination in accord with the Magistrate Judge's report. The Court therefore adopts the Magistrate Judge's Recommendation.

**IT IS THEREFORE ORDERED** that this action is dismissed pursuant to 28 U.S.C. § 1915A for being frivolous or malicious or for failing to state a claim upon which relief may be granted, as well as for seeking monetary relief against a defendant who is immune from such relief. A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 11<sup>th</sup> day of April, 2016.

/s/ N. Carlton Tilley, Jr.  
Senior United States District Judge